

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

AHMED I. KHAN, M.D.

VS.

NO. 5:05CV00083-WRW

CHARLES MABRY, et al.

ORDER

Pending is Plaintiff's Motion for Voluntary Dismissal (Doc. No. 18). Defendants have responded (Doc. No. 19).

Plaintiff's Motion for Voluntary Dismissal is GRANTED. This case is DISMISSED WITHOUT PREJUDICE. If Plaintiff re-files his antitrust lawsuit against any of the Pine Bluff surgeons within the time and manner required by the Federal Rules of Civil Procedures, as a condition to re-filing, he must first pay the legal fees and other costs that the Pine Bluff surgeons incurred in defending this case.¹

IT IS SO ORDERED this 11th day of October, 2005.

/s/ Wm. R. Wilson,Jr.
UNITED STATES DISTRICT JUDGE

¹In a October 6, 2005 Letter, Plaintiff consented to these terms.